

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
FOURTH DIVISION**

UNITED STATES OF AMERICA,

Criminal No. 06-211(1) MJD/AJB

Plaintiff,

v.

ORDER

KEVIN JOSEPH FENNER,

Defendant.

Jeffrey S. Paulsen, Esq., Assistant United States Attorney, for the plaintiff, United States of America;

William M. Orth, Esq., for the defendant, Kevin Joseph Fenner.

Based upon the Report and Recommendation by United States Magistrate Judge Susan Richard Nelson dated August 11, 2006, with all the files and records, and no objections having been filed to said Recommendation, **IT IS HEREBY ORDERED** that defendant Kevin Joseph Fenner's Motion to Suppress Physical Evidence is **denied** [Docket No. 35].

Dated: September 8, 2006

s / Michael J. Davis

Michael J. Davis

United States District Court Judge